

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HERBERT LONG,

Plaintiff,

-against-

ANTHONY RODRIGUEZ; WILFREDO PEREZ,

Defendant.

24-CV-5227 (CS)

ORDER OF SERVICE

CATHY SEIBEL, United States District Judge:

Plaintiff, who currently is incarcerated at Sing Sing Correctional Facility, brings this action, *pro se*, under 42 U.S.C. § 1983, alleging that Defendants violated his Fourteenth Amendment right to procedural due process during a disciplinary hearing held from August 12, 2022, to August 26, 2022. Plaintiff names as Defendants Anthony Rodriguez, Sing Sing’s former Director of the Incarcerated Individual Disciplinary Program, and retired Lieutenant Wilfredo Perez, the officer who conducted the disciplinary hearing.

By order dated July 12, 2024, the Court granted Plaintiff’s request to proceed *in forma pauperis* (“IFP”), that is, without prepayment of fees.¹ As set forth in this order, the Court directs the New York State Attorney General to provide the Court and Plaintiff with service addresses for both Defendants.

DISCUSSION

Under *Valentin v. Dinkins*, a *pro se* litigant is entitled to assistance from the district court in identifying a defendant. 121 F.3d 72, 76 (2d Cir. 1997). In the complaint, Plaintiff states that Defendant Rodriguez is no longer the Director of the Incarcerated Individual Disciplinary

¹ Prisoners are not exempt from paying the full filing fee even when they have been granted permission to proceed *in forma pauperis*. See 28 U.S.C. § 1915(b)(1).

Program and Defendant Perez is retired. It is therefore ordered that the New York State Attorney General, who is the attorney for and agent of the New York State Department of Corrections and Community Supervision (“DOCCS”), must ascertain the service addresses for these two Defendants.² The Attorney General must provide this information to Plaintiff and the Court within 60 days of the date of this order.

Within 30 days of receiving this information, the Court will issue an order directing the Clerk of Court to complete the USM-285 forms with the addresses for Rodriguez and Perez and deliver all documents necessary to effect service to the U.S. Marshals Service.

CONCLUSION

The Clerk of Court is instructed to mail a copy of this order to the New York State Attorney General at: Managing Attorney’s Office, 28 Liberty Street, 16th Floor, New York, NY 10005.

Local Civil Rule 33.2 applies to this case.

The Clerk of Court is directed to mail an information package to Plaintiff.

SO ORDERED.

Dated: August 19, 2024
White Plains, New York



CATHY SEIBEL
United States District Judge

² If either defendant is no longer employed with DOCCS, the Attorney General must provide the court with an alternative address where the individual may be served.